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C O N F I D E N T I A L SECTION 01 OF 03 ADDIS ABABA 002941

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SUBJECT: FORUM CALLS FOR FAIR VOTE COUNTING AND FAIRLY
ELECTED PUBLIC OBSERVERS

REF: A. ADDIS ABABA 2554

[B](#). ADDIS ABABA 2511

Classified By: CDA TULINABO MUSHINGI FOR REASONS 1.4 (B) AND (D)

[1](#)1. (C) Summary: Leaders of the Ethiopian Federal Democratic Unity Forum (Forum) told members of the Ethiopian Partners Group (EPG) the 2010 election could not be free and fair because the selection of 200,000 public observers was inherently skewed to the benefit of the ruling party, including recruitment of unemployed youth and armed militias to serve as public observers. Representatives of the Unity for Democracy and Justice (UDJ), Arena Tigray, and Somali Democratic Alliance Forces (SoDAF) political parties reported on harassment inside and outside of Addis Ababa in recent weeks ranging from disruption of party meetings and closure of offices; to denial of basic public services; to detention, intimidation and imprisonment of opposition party supporters.

The Forum is still skeptical of the Code of Conduct, which is now being considered by Parliament to be codified into law, due to the fact that previous voluntary Codes of Conduct in force during the 2005 election were not applied and offered no protections for violations of electoral law. On December 4 the National Electoral Board of Ethiopia (NEBE) granted the Forum a temporary registration for a period of five years as a coalition which will allow the group to go forward with electoral activities, including fielding candidates. The EPG has raised the issues of election administrators and complaint processing, as well as harassment surrounding the establishment of opposition party offices with the ruling party. While the Forum recently received positive news about its registration as a coalition, it was decidedly negative in its tone when meeting with the EPG and unable to elaborate a specific forward-looking media strategy or a plan for fielding electoral candidates. End Summary.

[1](#)2. (U) On December 9, Norwegian Ambassador Jens-Petter Kjemprud, accompanied by Spanish Ambassador Antonio Sanchez-Benedito Gaspar, hosted a meeting of the Ethiopian Partners Group (EPG) Committee One with members of the Ethiopian Federal Democratic Unity Forum (Forum), formerly called the Forum for Democratic Dialogue. The discussion was part of an ongoing dialogue the EPG has maintained with the Forum over recent months to discuss electoral issues, particularly during the negotiation of the electoral Code of Conduct. Forum members present at the meeting included Chairperson Merera Gudina of the Oromo People's Congress (OPC), Engineer Gizachew Shiferew of Unity for Democracy and Justice (UDJ), Bulcha Demeksa of Oromo Federalist Democratic Movement (OFDM), Gebru Asrat of Arena Tigray, and Dr. Ahmed Nassir, Deputy Chairman of Somali Democratic Alliance Forces (SoDAF). Approximately 15 representatives of the diplomatic community represented their ambassadors at the gathering.

Election Administration Must be Fair

13. (C) Merera began by stressing to the group that there would not be a free and fair election in 2010 because the selection of 200,000 public administrators or public observers was inherently skewed to the benefit of the ruling party. He stated that these public observers are almost all supporters of the EPRDF. Gebru Asrat added that members of armed militias, EPRDF party members (who are being asked to resign their membership in order to be observers) and unemployed youth are also being recruited as public observers. The election of such observers began in Addis Ababa and Dire Dawa on Sunday, December 6. Because the OPC and other opposition parties were issued invitations to observe the elections only two days before the election of observers were held, they were unable to participate, Merera said. (Note: The Ethiopian Herald ran the official election timetable of the National Electoral Board of Ethiopia (NEBE) on November 25 which listed the election of public observers as beginning on December 1. The electoral law states that opposition parties have the right to observe the election of public administrators and observers. Parties also have the right to have representative observers of their own present in each polling station, in addition to the elected public observers. End note.) One diplomat in attendance asked if it was a political choice or statement not to participate, since the groups had had sufficient public notice, in addition to the invitation from the NEBE, but Merera did not respond to the question. He stated that when the ruling party is "both a player and a referee" there is no way the process can be fair. These are the people who will be counting the votes, he added disgustedly.

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Rule of Law is Not Respected . . . In Most Cases

14. (C) "The rule of law is not being respected," Merera continued. "In the last two weeks, our party offices are still being closed by the government," he said. Many potential opposition party candidates are still in prison. Harassment has continued as has misreporting in the government media. Gizachew reported on party meetings that UDJ attempted to hold on November 29 and December 6 in Addis Ababa, both of which were disrupted by groups of former UDJ party members. When UDJ sought the support of local police, they were denied such support, even after various requests at several levels. Gebru gave other examples of increased harassment of Arena Tigray supporters outside of Addis Ababa.

He said one woman from Hintanowjeret woreda in southwest Tigray was denied safety net services and dismissed from her job because her brother was a member of Arena Tigray. An executive committee member of Arena Tigray in Dedatembien woreda in southeastern Tigray was called in and "terrified and intimidated" by the chief of police for two hours in an attempt to coerce him into supporting the ruling party. The representative from the Somali Region reported there were a number of political prisoners in Jijiga, but did not give a specific figure. He said his party's office in Diredawa had been closed and that harassment had increased in and around Jijiga. Specifically, he said Oromo and Somali opposition party supporters were being harassed by regional government officials and cadres (of Somali ethnicity) of the Somali People's Democratic Organization (SPDO). (Note: The SPDO supports and votes with the EPRDF, but is considered a separate and autonomous political organization. End note.)

15. (C) Bulcha gave several examples in which the OFDM was able to hold large public and peaceful party gatherings outside of Addis Ababa in Ambo and Shishemeni without any disruption. He attributed the success of those recent gatherings to the involvement and interest of the international community, although he speculated that the EPRDF-affiliated Oromo People's Democratic Organization

(OPDO) must have had representatives at the meeting to report on the content of the political discussion.

Forum Ready to Debate

16. (C) When asked by Ambassadors Kjemprud and Gaspar to comment on the Forum's media strategy, Gezachew responded that the Forum is ready to debate on any political, social or economic issue. He noted that in 2005, each party was allotted only 20 minutes of air time, and that was insufficient to convey a broad public message.

Code of Conduct

17. (C) When asked about recent press reports that the Forum was considering signing the Preamble to the Code of Conduct (CoC) that was now being discussed by 95 political parties and will soon be passed to Parliament for signing into law, Merera argued that the CoC should actually include three distinct documents. He said the government ignored the "Professional Administration of Elections" and "International Election Observation" documents. (Note: These were sample documents originally presented to the GoE for consideration by the EPG at the beginning of the Code of Conduct negotiation process. End note.) Bulcha added that the EPG was pressuring the Forum to sign the CoC and that they had no problem with signing it because it "didn't really mean anything." Ambassador Gaspar responded quickly that the EPG was in no way pressuring the Forum to sign the CoC, but was interested in regularly engaging the group in a free and frank exchange of views about the potential use of the Code as an instrument as well as the importance of engagement in the electoral process. (Note: EPG observers in Parliament on December 14 report that the final version of the law will not require signature of the CoC by any party before it is passed into law, making the debate by the Forum about whether to sign or not to sign moot. End Note.)

18. (C) Gezachew pointed out that there were voluntary Codes of Conduct drafted by the EPRDF and NEBE prior to the 2005 elections, but they were not implemented and that opposition party members who threatened to take power away from the ruling party were shot in the streets and thrown in jail. He urged the diplomatic community to "be aware of the two faces of the EPRDF," and to understand why the Forum is so skeptical of the current CoC.

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Forum Granted Registration as Coalition

19. (SBU) Just last week, on December 4, pursuant to its October 23 request for registration as a coalition of eight parties, the Forum received a temporary certificate of registration and recognition of legal personality from the NEBE. The temporary certificate will be valid for five years. In response to the repeated question from the diplomatic community about the forward looking strategy of the Forum now that it has been registered as a coalition, Gebru replied that the group is still waiting for a response from the ruling party about its numerous requests to negotiate bilaterally (Reftel A). Merera reiterated that the Forum is now most concerned about "who counts the votes" and he said that until the government provides for credible and neutral election administrators and public observers, there will be no chance for a free and fair election. He failed to directly answer questions about the Forum's strategy for fielding candidates that several diplomatic community members posed.

EPG Discussions with GoE

¶10. (C) Ambassador Kjemprud told the Forum members the EPG held regular meetings with the ruling party in the same way it held regular conversations with the Forum -- in the interest of carrying out an open and frank dialogue on the upcoming elections. In a recent meeting with the EPRDF, the EPG raised the issue of election administrators and the process for raising complaints. The Government told the EPG there was a process because the EPRDF wanted to complain about "observers who were obviously members of the opposition." In response to a question by the EPG on the issue of harassment and the ability to establish opposition party offices, the government said they would prosecute anyone undermining the establishment of party offices.

Comment

¶11. (C) While it recently received the positive news it had been granted registration as a coalition, the Forum was still decidedly negative in its tone when meeting with the EPG. After two decades of EPRDF-administered elections in which harassment and intimidation of opposition members and supporters, closures of opposition offices, and election observers fielded from the ruling party and civil service, it would appear that the continuation of such acts has left the Forum unwilling to seriously engage in the pageantry of the current electoral process. Diplomats present at the meeting attempted to press Forum members to elaborate on their strategy for going forward vis-a-vis the media or fielding electoral candidates. Instead, the leaders dwelt almost exclusively on the negative repercussions of the elections in Addis Ababa of public observers in which they did not participate due to "inadequate notice." The limited common ground shared by Forum component parties also likely has undermined the coalition's ability to set a proactive agenda.

¶12. (C) Even as the Code of Conduct is moments away from being passed into law, the Forum is still discussing with the international community its wish-list of other content it feels should have been included in the negotiations, and regretting that it has not yet been able to sit down bilaterally with the ruling party. On the margins of the meeting, diplomats commented on their frustration at the lack of forward momentum they are able to perceive from the Forum leadership even as they should be taking the next steps forward in their electoral activities. End Comment.
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